

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

Ryan Williams,

Plaintiff

V.

## Allegiant Air,

Defendant

Case No.: 2:19-cv-00276-JAD-VCF

## **Order Adopting Report & Recommendation**

[ECF No. 6]

Pro se plaintiff Ryan Williams brings this employment lawsuit against her former employer Allegiant Air. The court dismissed Williams's original complaint with leave to amend after initial screening.<sup>1</sup> Williams filed an amended complaint, Magistrate Judge Ferenbach has screened it and recommends that I dismiss her wrongful-termination claim with prejudice because Nevada law bars it here, but that I permit her remaining claims to proceed.<sup>2</sup> The deadline to object to that report and recommendation was April 19, 2019, and Williams has not filed an objection or moved to extend the deadline to do so. “[N]o review is required of a magistrate judge’s report and recommendation unless objections are filed.”<sup>3</sup>

Accordingly, with good cause appearing, IT IS HEREBY ORDERED that:

- the Report and Recommendation [ECF No. 6] is ADOPTED;
- plaintiff's wrongful-termination claim is DISMISSED with prejudice; and

IT IS FURTHER ORDERED that the Clerk of the Court is directed to ISSUE A SUMMONS to the defendant and DELIVER that summons, along with a copy of the amended complaint [ECF No. 5] and this order, to the U.S. Marshal for service.

<sup>1</sup> ECF No. 3.

2 ECF No. 6.

<sup>3</sup> *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); see also *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Revna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1                   So that the U.S. Marshal may effectuate service on the defendant, IT IS FURTHER  
2 ORDERED THAT the plaintiff must:

3                   o Print out and complete the required Form USM-285 from the U.S. Marshal's  
4                   website at [www.usmarshals.gov/process/usm285.pdf](http://www.usmarshals.gov/process/usm285.pdf) for the defendant; and  
5                   o Provide the completed Form USM-285 for the defendant to the U.S. Marshal  
6                   by May 14, 2019;

7                   Within 20 days after receiving from the U.S. Marshal a copy of the Form USM-285  
8 showing whether service has been accomplished, plaintiff must file a notice with the Court  
9 identifying whether defendant was served. If service is not effectuated and plaintiff wishes to  
10 have service again attempted on the defendant, plaintiff must file a motion specifying more  
11 detailed service information for the defendant, or whether some other manner of service should  
12 be attempted.

13                   Plaintiff is cautioned that Rule 4(m) of the Federal Rules of Civil Procedure requires that  
14 service be accomplished within 90 days from this order.

15                   IT IS FURTHER ORDERED that, from this point forward, plaintiff must serve upon  
16 defendant, or, if appearance has been entered by counsel, upon defense counsel, a copy of every  
17 pleading, motion, or other document submitted for consideration by the court. Plaintiff must  
18 include with the original papers submitted for filing a certificate stating the date that a true and  
19 correct copy of the document was mailed. The court may disregard any paper received by a  
20 District Judge or Magistrate Judge that has not been filed with the Clerk, and any paper received  
21 by a District Judge, Magistrate Judge, or the Clerk that fails to include a certificate of service.

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23                   \_\_\_\_\_  
24                   U.S. District Judge Jennifer A. Dorsey  
25                   Dated: April 24, 2019  
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